

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

*

CRIMINAL NO: 09-104

v.

*

SECTION: "I"

MONICA A. SANDERS

*

**VIOLATION: 18 U.S.C. § 287
18 U.S.C. § 2**

*

* * *

F A C T U A L B A S I S

The government and the defendant, **MONICA A. SANDERS**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and if this case had gone to trial, the government would have proven the following beyond a reasonable doubt through competent evidence and tangible exhibits:

Testimony would show that **SANDERS** prepared taxes for individuals located throughout the Eastern District of Louisiana and elsewhere. One of these returns was fraudulently prepared and filed with the Internal Revenue Service, an agency of the United States Department of Treasury, on February 14, 2005. **SANDERS** personally prepared and filed for another person, a false tax return in order to receive a tax refund from the government, in the amount of \$7,028. Testimony from witnesses would show that this particular tax return was fraudulent, in that **SANDERS** decided to knowingly place false dependents as well as inflated W-2 withholdings onto the return, in order to obtain a larger refund.

By manipulating the W-2 withholdings allegedly taken out during the tax year, as well as placing two qualifying dependents onto the Schedule C, this return qualified for the Earned Income Tax Credit (EITC). The EITC is a refundable tax credit for low-income, working taxpayers and the amount of the credit is based on income, filing status and number of qualifying children, if any. The falsely inflated withholdings, along with the dependent information, and the credit from the EITC, made this fraudulent return eligible for the large tax refund. The fraudulent entries were material in that they ultimately caused the Internal Revenue Service to rely on the information contained within the return and to issue a refund that was calculated using that information. Special Agents from the Internal Revenue Service would also testify that the following return was knowingly and fraudulently prepared by **SANDERS**:

Count	Internal Revenue Service Document Locator Number	Date Filed	Refund Year	False Claim
1	72209017404015	February 14, 2005	2004	\$7,028

The purported taxpayer would also testify that the information on the above return was false. The above information comes from an investigation conducted by Special Agents of the Internal Revenue Service, a review of various tax and banking records, interviews conducted

during the investigation, records subpoenaed by a federal grand jury and from the admissions of the defendant, **SANDERS**.

MONICA A. SANDERS DATE
Defendant

JON MAESTRI DATE
Assistant U. S. Attorney

SAM SCILLITANI DATE
Attorney for Defendant